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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

WES W. JOHNSON, Plaintiff, v. HOMECOMINGS FINANCIAL, a Delaware Limited Liability Company, GMAC MORTGAGE, a Delaware Limited Liability Company, DEUTSCHE BANK NATIONAL TRUST COMPANY, a Nevada Corporation, DEUTSCHE BANK TRUST COMPANY AMERICAS as Trustee for FALI 207QA1, a State of New York Chartered Bank, EXECUTIVE TRUSTEE SERVICES, a Delaware Limited Liability Company., PITE DUNCAN, a Limited Liability Partnership, and DOES 1-10, inclusive, Defendant.	Case No. 09CV1262 L NLS STIPULATION TO VOLUNTARILY DISMISS DEFENDANT PITE DUNCAN, LLP

Plaintiff Wes W. Johnson and Defendant Pite Duncan, LLP hereby stipulate to the following:

1. Plaintiff Wes W. Johnson agrees to voluntarily dismiss Defendant Pite Duncan, LLP without prejudice.

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2. Defendant Pite Duncan, LLP agrees to waive costs and fees it could have sought against Plaintiff Wes W. Johnson in connection with the defense of this litigation.

Dated: February 5, 2011

PITE DUNCAN, LLP

S/ Christopher L. Peterson
CHRISTOPHER L. PETERSON
Attorneys for Defendant PITE DUNCAN, LLP

Law Offices of Tory M. Pankompf

Dated: Feb 5, 2011

TORY M. PANKOMPF
Attorney for Plaintiff